# HOOKER ESCAPES REMOVAL.

ONLY 76 VOTES AGAINST HIM IN THE ASSEMBLY.

One Hundred Votes Necessary to Pass a Removal Resolution-The "Tapeworm Cluby and the House of Commons Save Him-D Democratic Votes.

ALBANY, July 20 .- Warren B. Hooker of Fredonia, Chautauqua county, can, if he chooses, sit as a member of the Supreme Court of the State of New York for nine years more. Justice Hooker's champions in the Assembly say that he will not resign.

"They didn't get 100 votes to remove him." they say, "so he is vindicated. The fact that a majorty of the members of the Assembly voted for removal does not count. We worked to save him, and we did it."

But there were seventy-six members of the Assembly who believed that a Judge should not mix up in party graft and who openly expressed themselves as believing that Justice Hooker is morally unfit to serve as a Justice of the Supreme Court. The "Tape Worm" Club and the House of Commons, deminated and controlled by Speaker Nixon, saved him. They secured fifty-eight Republicans to vote against removal, and Senator Patrick Henry McCarren delivered six Democratic votes from Kings county and three other Democrats voted to retain Justice Hooker on the bench. The strangest part of it all is that not one man who voted against Justice Hooker's removal said that the charges were untrue. They admitted that they were true, but hadn't been proved. and that he was no worse than many others

and shouldn't be singled out for punishment. But the sensational part of the Hooker trial came when the Assembly took up the question of passing the bill appropriating 20,000 for the expenses of the extra session Assemblyman Tompkins (Tam.) had endeavored to have a resolution read, but it was ruled out of order. That resolution provided that the Governor's attention should be called to the testimony of State Tax Commissioner Lester F. Stearns on the witness stand in behalf of Justice Hooker and that the Governor be asked to remove him from his office for committing perjury. Mr. Stearns was accused of falsifying in the sworn testimony of Attorney Farnham of Dunkirk.

Assemblyman Fuller (Dem., Kings) offered an amendment to the appropriation bill, which provided that Mr. Stearns should not receive witness fees. On this question the Republicans lined up solidly against Mr. Fuller. Majority Leader Rogers excused Mr. Stearns's perjured testimony by saying that other men had been contradicted on the witness stand. The amendment was defeated by an overwhelming vote, and then the bill passed the Assembly and was sent to the Senate, where it was

There are some members who know that they cannot come back for their stand in this matter, but such pressure was brought to bear upon them that they did not dare to vote for removal. Assemblyman Mead of Albany and Wemple of Schenectady are despised by the very people they stood with. They are members of the Assembly Judiciary Committee and had voted to report a resolution for removal, yet they voted against removal to-day. It was known last winter that they wanted to vote against reporting the resolution, but did not have the courage to do so. Benjamin B. Odell, Jr., William Barnes, Jr., Frank S Black, William L. Ward and William C. Warren of Buffalo all rendered yeoman service for their friend Hooker.

This morning before the Assembly met there was an air of uncertainty about the matter. The legislative leaders did not want to thrust upon the Republican party the responsibility of defeating the removal resolution. They had counted on getting at least 30 Democratic votes to help them out of their dilemma. When they started to count noses they found that the Democrats were almost solidly in favor of removal, and this gave them considerable uneasiness. But the House of Commons got in its work quickly.

The session was to have started at 9:30 o'clock, but it was twenty minutes later when Speaker Nixon rapped for order. Then on the roll call it was found that there were quite a number of absent members and this necessitated a call of the House. and gave the House of Commons all the more time to get among the weak members who were undecided just what they should

There was no debate on the resolution providing for removal, which was offered by Assemblyman Fish, the chairman of the Assembly Judiciary Committee, and who has made a gallant fight in the interest of the purification of the bench and to remove the stain from the judiciary of this State. The resolution was:

That said Warren B. Hooker, while a Representative in Congress, prior to the 10th day of November, 1898, and while a Justice f the Supreme Court of the State of New York since said 10th day of November, 1898, has been wilfully guilty of corrupt, unlawful and immoral acts, which have ring and have brought the said Justice of of justice into contempt, and which show a personal unfitness on the part of said War-B. Hooker to hold and occupy the office

of Justice of the Supreme Court. Assemblyman Wood made an eloquent speech before the vote was taken. He was not quite sure of the jurisdiction of the Legislature in the matter, but so long as Senator Brackett had written an opinion that it had the jurisdiction he was going to vote to compel the Senate to take its share of responsibility. He said Justice Hooker was a creature not only of a practise but of a system that has grown up in dealing with Federal patronage, and that he was guilty of gross irregularities, and he believed that he should be grossly cen-

sured for his irregularities. Others contented themselves with explaining their vote on the question. Two minutes were allotted to each man to explain his position. Majority Leader Rogers took ten and made what was considered to be the most peculiar argument ever listened to. Mr. Rogers admitted that Justice Hooker was guilty, and had done wrong, but he said he wouldn't do it again, and would make a good Judge. What he wanted was to punish the people who made it possible for Hooker to be carried away by the temptations to secure graft.

Assemblyman Wainwright of Westches-Lots of New York bankers don't know how easy it is to reach the Adirondack Mountains, and rot one in ten of them knows how delightful it is after you get there. You can leave New York at 7:30 in the evening by the New York Central and be in the heart of the Adirondacks for breakfast. Send a two cent stamp to George H. Daniels, Grand Central Station; for a "epp of "The Adirondacks and How to Reach Them"—s fine map.—Ads.

ter made one of the ablest arguments of the day for the purification of the bench. He characterized Justice Hooker's acts as beneath a man of dignity and honor, and he scathingly rebuked any man who would stoop to the practises that he had

been found guilty of. Assemblymen Prentice and Stanley of New York also argued that there was no doubt of the guilt of Justice Hooker and that it was a disgrace to the bench to keep such a man as he on it. They asserted that the bench could never command the respect or confidence of the people with men like Justice Hooker on it.

Assemblyman Bass of Otsego said: "Justice Hooker is lacking in that element of moral greatness fitting to a man who is to act as an umpire of the destinies of his fellow men."

Assemblyman Sheldon flatly refused to bey the commands of his constituents. They had met some weeks ago and passed resolutions demanding that he vote to remove Justice Hooker from the bench. Assemblyman Sheldon will probably be an ex-member next year. He comes from Gov. Higgins's county (Cattaraugus) and is a chum of Arthur C. Wade, Judge Hooker's close friend.

Assemblymen Hartman, Dale, Apgar, Merritt, Foster, Gates, Foelker and West also spoke against removal, and it was a singular coincidence that every one of them had something to say against the press having dared to take this matter up. Gates and Foelker said they didn't care what their constituents thought about it Mr. Gates is Congressman Sherman's right hand man from Oneida County.

In order to adopt the removal fresolution t was necessary to have the votes of twothirds of all the members elected. This meant 100 votes. Assemblymen Hooper and Wade, Republicans, and Grady (Dem., Kings) were excused from the session. As there were two members dead, this made only forty-six votes that the friends of Justice Hooker had to secure to prevent removal. And when they were secured here was great rejoicing on the part of the champions of the Judge. The roll call was finally completed at 12:30 o'clock and resulted in 76 votes being cast for removal to 67 in opposition. Assemblyman J. A. Thompson (Dem., Kings) was present, but did not vote. Speaker Nixon also failed to have himself recorded. Those who voted against removal were:

Republicans-Appar and Rigby of Westchester, Bedell and Hastings of Orange (Benjamin B. Odell's representatives), Bisland of Sullivan (also from Odell's Senate district), Beebe and Callahan of Monroe, Brady of Greene, Brooks, Shuttleworth, Patton and Tenjost of Erie; Carrier of Chenango, E. E. Charles of Wyoming, W. B. Charles of Montgomery, Coon, Grattan and Mead of Albany; Dowling, Foelker, Francisco, Pendry, Perry, Friedel, Hartman and Young of New York: Thonet of Kings, Foster of Jefferson, Gardner and Stevens of Rensselaer, Gates of Oneida Gray and J. T. Smith of Dutchess, Hanford of l'ioga (Senator Platt's home district). Hapeman of Cayuga, Hurd of Rockland (also in Odell's Senate district), Knapp of Clinton, Leggett of Niagara, C. R. Mathews of Frank lin, Merritt of St. Lawrence, Monroe of Tomp kins, Newton of Cortland, Parker of Wash ington. Phillips of Allegany, Platt of Steu-Scovill of Columbia, Slocum of Lewis, A. P. Smith of Wayne, Waddell of Warren, West of Yates, Wemple of Schenectady, Main of G. H. Whitney of Saratoga, Wilsnack and Miller of Queens and Yale of Putn m. Democrats-Byrne, Dale, Kavanaugh, Reilly, T. F. Mathews and Wolf of Kings, Gurnett of Schuyler, Sullivan of Queens and

### VALUABLE DIAMOND MISSING. It Was Removed From a Brooch Belonging

Quinn of Erie.

to Mrs. Douglas W. Burnham. NEWBURGH, July 20 .- The mysterious disappearance of a large and valuable diamond belonging to Mrs. Douglas W. Burnham, mother of Mrs. Le Roy Dresser, who is spending the summer at her country home, Beaconside, Matteawan, is puzzling the police and Mrs. Burnham's friends. The diamond was a very large one, pure white and of exceptional brilliancy. I was one of the large stones of a brooch which contained fifteen diamonds. The missing stone was at one time an earring and is described as being nearly as large as dime. Recently Mrs. Burnham had the two stones removed from the earrings. and they comprised the two main stones in a brooch of fifteen worn by Mrs. Burnham at social functions. The brooch was

reset by Tiffany.

Two weeks ago this evening Mrs. Burnham attended a reception at the Teller home, at one time the headquarters of George Washington, given in honor of Mrs. De Lancey Newlin of Flushing. She returned to her home after the reception, accompanied by a companion, and she is positive that she had the brooch intact when she left the Teller home. She removed it, not noticing that any stone was missing, and placed it in a chest at her home. The keys to this chest she invariably keeps on

few days ago upon opening the chest she found that the stone was missing. A thorough search was ordered and still no clue. Mrs. Burnham intends to send the brooch to Tiffany to ascertain whether the stone was forced from the brooch. She has implicit faith in all her employees, who have been with her a long time. Besides the brooch, there was a large quantity of other valuable jewelry in the chest, which was unmolested. Mrs. Burnham has offered a large reward for the return of the ferred a large reward for the return of the stone and no questions asked.

# TUTOR WRONGLY ARRESTED.

Police Fooled Us, Says Acting District

Attorney-No Extradition for Park. Acting District Attorney Gans has asked the State Department at Washington to withdraw the extradition papers for Edward Park, the tutor in the Higginson family who was arrested at Christiansand, Norway on the charge brought by the police here of stealing the Higginson jewels. There is not sufficient evidence to extradite Park,

Mr. Gans says. It was represented to the District Attorney that a pawnbroker had identified Park from a photograph as the man who had pawned some of the jewels. When the pawnbroker was summoned to the District Attorney's office he described a man under

six feet, while Park is 6 feet 3.

"We were wofully fooled by the police," said Mr. Gans, "and I regret that a man against whom there is no evidence should be charged with a crime. It was on the positive statement of Detective McCafferty everal pawnbrokers had identifie Park from photographs that we advised

# Park is to return to this country in the fall.

Latest Marine Intelligence. Arrived: Ss. Lucifer, Manchester, July 5.

THE NEW STRAIGHTAWAY AUTOMOBILE COURSE ON CAPE MAY BEACH will be opened Saturday, July 22, at 4:00 P. M. Est of entries, including Christie's "Blue Fly Pennsylvania Ralicoad trains have West Street at 9:55 A. 4. Saturneys only; 16:55 A and 12:35 P. M., weekdays.—Adv.

# ALARMED BY CHINA'S BOYCOTT

U. S. CONSUL REPORTS THE SITU-ATION AS DANGEROUS.

Document That Is Stirring the Kingdon Reaches Washington-Every Weapon Turned Against American Trade-Penaities for All Who Deal in U. S. Products.

WASHINGTON, July 20 .- A copy of the circular sent broadcast through the Chinese empire asking the natives to boycett American products has been received at the State Department from United States Consul Gracey at Fuchau. The circular was issued by the "Jeng Ching," or "Man Mirror," a literary society of Shanghai. The bit of paper covered with complicated Chinese charactersis only six inches square while the translation of the document which has caused such great troubles

covers five typewritten pages. The circular is really a report of the meeting of the Fukien and Kuang Tung Merchant Gilds of Shanghai on May 18, when the boycott movement was instituted. The resolutions adopted at the meeting and the steps which were proposed are introduced in full, as well as a synopsis of the speeches of a number of those present.

In an accompanying note Mr. Gracey indicates that the Chinese mind is greatly excited by the movement, and the stories which are being spread among the uneducated by those behind the movement are creating a dangerous situation. He says that all sorts of yumors are in circulation and are credited by the ignorant Chinese. One of the most recent was that 200 Chinese coolies in America had been beheaded. Mr. Gracey says that this rumor gained wide circulation and credence. He adds that the Consulate is doing all that it can to dispel the erroneous ideas which are rapidly gaining ground.

The circular which was sent out shows that the Chinese are greatly in earnest in furthering the movement and elaborate plans have been made to force the merchants to help on the boycott. Those who may secretly continue to deal in American products will be practically ostracized. In the circular such merchants are characterized as the "wickeds." Plans are made for the friends of the movement to renounce such tradesmen and to refuse to allow their children to marry those of the "wickeds." At the conclusion of the meeting nearly all of those present signed an agreement to

carry out the following plans: "1. To investigate all about American goods in general imported into China.

\*2. To investigate sales of American kerosene oil in China. "3. To use efforts to secure support of impartial and reasonable editors in the

United States. "4. To establish a public room for exposition of American goods.

"5. To investigate American cloth sent to China. "6. To use efforts with American missions which are in favor of justice.

"7. To use efforts with local government for cancelation of said treaty. \*8. To investigate American goods which are sent to China by the most powerful

laboring party. "9. To investigate what treaty ports of China at which American ships are usually anchored and through which American

goods are landed. "10. To advise laboring classes at wharves to demand more wages when they are hired to discharge American car-

"11. To find out wicked native tradesmen who may in the future secretly deal in American goods.

"12. To investigate who have been dealing in American goods and also names of such 'hongs.'

"13. To persuade people not to make acquaintance with or to marry their children to those dealers in American goods, The proposer himself has decided to cease friendly relations with those who after his attention has been called to this resolution may again be dealing in American goods, and he also promises not to marry his children to the 'wickeds."

"14. To carry out the above resolutions whenever he can seize an opportunity."

It was decided also to seek the aid of literary persons in China, who would be asked to write essays and articles for the papers on the subject "What steps should e taken against the extradition laws of the United States."

In the circular it is pointed out that there s no danger to the individual in entering into the boycott, the point being taken in the resolution that the matter is not an affair between two Governments. The resolutions passed are as follows:

"1. To stop consuming American goods. \*2. To stop ordering American goods or

"3. If American goods are stopped, na tive products will have a considerably increased demand in the market. "4. Merchants and common people have

perfect rights to make above resolution This is not a matter between two Govern-

"5. A resolution which forbids Chinese to employ Americans may be temporarily withdrawn lest it give rise to discussion between the two Governments.

"6. Native servants in employ of Americans in China shall deman d more wages. "7. After action being taken, we expecto withdraw the privileges that have been blindly given to He-Hsing Company for

railway building. "8. The action to be taken may be what the whole world is eagerly engaged in watching-a center at which all lines shall meet. This greatly concerns the power of our nation, and we must therefore engage ourselves faithfully from beginning to end.

#### CZAR'S ARMY DEMORALIZED. Linievitch's Soldiers Ready to Run Sine Peace Nogotiations Began.

Special Cable Despatch to THE SUN. LONDON, July 20.-The St. Petersburg orrespondent of the Standard claims to have good information that although Gen. Linievitch has been reenforced and his army s well provisioned and well clad the spirit of his troops has deteriorated.

They do not share the faith of their commanders in future victory, and since they became aware that peace is being discussed they are longing to return to their homes Some observers believe they would enter another battle reluctantly. Many already utilize every occasion to run.

AUTOMOBILE CONTESTS ON

Saturday afternoon, July 22. General events, and speed trial for World's record by Christie, remayivanta Railroad trates leady West, 23rd Street Sads A. M. Saturdays only; 11 55 A. M. and 12:55 P. M., weekdays. -Age.

#### KOMURA HERE: HOPES FOR PEACE | IRISH VOTE DOWN BALFOUR Japanese Envoy Leaves Scattle for New York Ahead of Time.

SEATTLE, Wash., July 20.-Baron Jutaro Komura, Minister for Foreign Affairs and peace plenipotentiary of Japan arrived in Seattle at 11 o'clock this morning on the Great Northern steamer Minnesota and continued his journey over the Great Northern Railway this evening, occupying James

J. Hill's private car. Baron Komura declined all tenders of hospitality while here, pleading special instructions from the Mikado to make all possible speed to Washington, Baron Komura in declining to discuss his mission said he did not feel at liberty to speak except to say:

"The two belligerents in response to the suggestion of the President have appointed peace plenipotentiaries who are to meet in the United States, and it is to be hoped that the peaceful impulses of the two nations, thanks to the friendly initiative of Mr. Roosevelt, may be successful in bringing about a permanent cessation of hostilities.

The Minnesota passed in Fuca Straits yesterday afternoon and arrived at Port Townsend about midnight (3 A. M., New York time). She was ahead of her schedule nearly a day and some plans for the reception of the party were disarranged.

Japanese Consul Hismidzu, stationed in Seattle, was with the Seattle reception committee and delivered a huge bundle of letters and cablegrams to Baron Komura. Almost the entire nineteen hours of the Baron's stay was consumed in deciphering and replying to the more urgent massages.

Among many presents given to officers of the steamer by Baron Komura were handsome velvet tapestry and valuable cut glass to the chief officer and ornamental trinkets to others. Liberal tips were given to servitors aboard.

While secretive as to diplomatic matters Baron Komura was one of the most democratic of the Minnesota's passengers. At a gathering Tuesday night he proposed and led in singing "Suawanee River," a memory of his Harvard days. The other members of the party also seemed to know the tune. if not the words.

Baron Komura goes to St. Paul by way of the Great Northern, thence to Chiby the Burlington, and to New York over the Pennsylvania lines.

#### TOWN STOPS SIMMERING. Two Cool Nights in Succession and Prospeet of More.

The town ceased to simmer yesterday. It was not what might be called a coolday, but it was not hot. The humidity was a trifle below normal and the temperature did not get higher than 86 degrees. The maximum was recorded at 2 o'clock in the afternoon and did not last more than a few minutes. A northwesterly breeze that had swept over a region of thunderstorms sent the mercury down to 83 degrees at 2:30 P. M., and thereafter the fall was steady. At 11 o'clock last night, when the overworked forecasters went home, the temperature was fit to sleep in, having dropped to 78 degrees. Washington said that this neighborhood would be fair to-day and tomorrow, with light westerly winds. No mention was made of a further drop in temperature, but Local Forecaster Emery ventured to surmise after looking over his night map that the mercury might get to 72 degrees this morning. The low pressure that was over the New England coast on Wednesday night moved gradthe breezy climate that made life worth

living in the Canadian country. Three deaths in this county and eight in Kings were reported by the police as due to the heat. There were 27 prostrations here and 10 in Brooklyn. Dr. Bell, house physician of St. Vincent's Hospital, collapsed from overwork and heat after he had been on duty uninterruptedly for forty hours. He is the third doctor of St. Vincent's to succumb.

#### WILLIAMSON JURY HUNG. Discharged After 46 Hours Deliberation -New Trial at Once.

PORTLAND, Ore., July 20.-The jury the Williamson case, after being out forty six hours, came in this afternoon and declared that they could not reach a verdict They stood 10 to 2 for conviction. At noon the jury appeared and asked for further instructions, but after two hours more decided that no agreement could be reached.

Forty-two ballots were taken and the vote remained the same throughout, two men holding out for acquittal or compromise Judge De Haven asked each juror if there was no hope of agreement and then ordered the dismissal of the jury. District Attorney Heney then declared that he would like to try the case again without delay, so the judge set the case for to-morrow.

Judge Bennett for the defense protested against a speedy second trial, but Judge De Haven overruled his objections. Congressman J. H. Williamson, his partner in the sheep business, Dr. Van Gessner, and

ex-United States Commissioner Marion R Biggs were indicted on charges of subornation of perjury for inducing fraudulent land entries in order that additional sheep range might be secured by them. The trial lasted two weeks and excited much

#### DUNNITE THE REAL THING. Its Inventor, Major Dunn, Watches Its Suc-

cess at Fort Riley. JUNCTION CITY, Kan., July 20 .- Major

Beverly W. Dunn of the Ordnance Department, U. S. A., stationed at the arsenal on Governors Island, New York, is at Fort Riley this week watching the experiments with the new explosive, dunnite, of which he is the inventor. The Seventh Battery field artillery, is making the experiments

It uses the new rapid fire guns.

Farly in the week a large stone block-house was built on the reservation and this was used as a target by the battery. By the use of dunnite shells the battery, at a distance of nearly two miles, demolished the blockhouse and riddled the infantry silhouettes that were in trenches behind and at the sides of the fortification. To-day three caissons that contained ammunition were placed in a ravine north

of Fort Riley. One of the caissons tained dunnite shells and the other contained the regulation field battery ammunition. At a distance of 2,000 yards the battery shot into these caissons. Each was struck by shells, but the one that conained dunnite was the only one that ex-The explosion was terrific and the caisson

was blown to splinters. After the dunnite shells exploded very few fragments of the shells could be found. EIGHT HOURS TO CLAYTON by "The Second Empire" of the New York Central, Leave New York 157 P. M., Albany 455, Utica 655; arrive Clayton 10:00 P. M., Alexandria Bay 11:00 P. M.—107.

GOVERNMENT BEATEN ON LAND COMMISSION AMENDMENT.

Sir Henry Campbell-Bannerman Calls Upon Prime Minister to Resign-Mr. Balfour Refuses to Commit Himself and Promises a Statement for Monday.

Special Cable Despatch to THE SUN LONDON, July 21.-The Government was lefeated in the House of Commons at midnight on an amendment offered by John Redmond, leader of the Irish parliamentary party, to reduce the Irish Land Commission.

ment to 196 against it. Intense excitement followed the announcement of the vote. The Liberals and Irish members stood for some minutes cheering and shouting "Resign!"

When the tumult subsided and the usual motion to adjourn the sitting was put Sir Henry Campbell-Bannerman, the leader of avoid irregularities in living which tend the Liberals, asked whether in view of its defeat the Government had any statement to make. Sir Henry was loudly cheered. Prime Minister Balfour replied that it was impossible to make any statement at present.

John Redmond, amid Irish cheers, re minded Mr. Balfour that he had repeatedly declared that he would resign if he were defeated in the House. He said that if Mr. Balfour disregarded this vote of want of confidence it would be contrary to all precedent. Mr. Redmond asked if he were going to swallow this humiliation as he had swallowed every other during the last few years. He declared that if the Government clung to office despite the vote it would be the duty of the Opposition to use every means to prevent such an outrage.

Mr. Balfour, speaking with his accustomed coolness, said that Mr. Redmond greatly agitated himself about a matter which would be settled in due time. This statement caused an uproar.

Continuing, Mr. Balfour said he was unconscious of any humiliation. . (Here the uproar was renewed with added vigor.) The Government hitherto had received the unfeigned support of the party which constituted a large majority of the House, but it would not continue in office unless it could do so with dignity. It had been defeated, as many previous Governments had been defeated, on a vote on the estimates. It must consider whether to re submit the vote. He felt under no obliga tion to give a decision now, as he required to consult his colleagues first. He would make a statement Monday when by a coincidence there would be an opportunity for proving whether the Government enjoyed the confidence of a majority of the House.

This was a reference to the fact that the Government had allotted Monday for vote of censure moved by Earl Grey

The House rose at 12:40, amid loud Opposition cries of "Resign!" The House was in Committee of Supply when Mr. Redmond made his motion. Mr Long, president of the Local Government Board, had been making a general statement of the working of the Irish Land Purchase act of 1903. The applications under the act, he said, had reached nearly £26,000,000 but the money to meet them did not reach £10,000,000. It was not desirable to raise a loan to meet the deficiency, and he proposed therefore to amend the act so as to enable the venders to take two-thirds of ually seaward yesterday, dragging down the purchase money in stock. He was aware that the landowners were opposed to this, but he hoped they would reconsider

the matter. Mr. Redmond followed; opposing Mr. Long. He declared that the act had completely broken down financially and otherwise. It had not dealt with the problem of congestion nor reinstated those who had been evicted from their holdings. He moved to reduce the vote as a protest The debate dribbled throughout the evening There was a thin attendance of members.

# MYSTERY OF A SHOT SOLVED.

Little Girl Not Killed by Tough, but Aceldentally by Small Boy-Afraid to Tell.

The police of the West Sixty-eighth street station arrested last night fourteen-yearold William Graham of 214 West Sixtyseventh street on a charge of firing the shot that killed ten-year-old Catherine Donohue of 221 West Sixty-sixth street two weeks ago. The little girl was playing in Sixty-sixth street between West End and Amsterdam avenues when a bullet entered her temple. She died the next

day in Roosevelt Hospital. There wasn't any question that the shot had been fired accidentally, but the person who did the shooting didn't come forward and this made the police all the more anxious to get him. They found Graham yesterday working in a candy store at Dobbe

Ferry. The boy said he was playing with the pistol when it went off. He knew the bullet had hit the little girl, but he was afraid to come forward.

# THIEF GOT WOMAN'S CHECKS. Took Them From Her Room in the Astor

House While She Sat There.

Mrs. M. E. Schoen, a widow, whose home is in Chester Springs, Pa., came to New York last Monday to dispose of an interest she had in some property near Lenox avenue. She transacted the business and received two checks, one drawn on the Title Guarantee and Trust Company for \$2,204 and the other on the Yorkville Bank

for \$2,000.

Mrs. Schoen put the checks in a small handbag she carried and came down to the Astor House, where she has been staying —in room 131—since her arrival in New York. She did not know that one of the York. She did not know that one of the incidents to a hot wave in the city is always an outbreak of activity among sneak thieves. The tendency to leave doors and windows wide open and to relax vigil-ance generally is the sneak thief's op-

portunity.

Mrs. Schoen went to her room, put the black bag with the checks and a small sum of money in it on a dresser near the door, left the door wide open and sat do he will be the state of the checks. door, left the door wide open and sat down with her back to it on the other side of the room to write a letter. When she went to get her bag it was gone. Detective Sanderson of the Astor House said last night that he had reason to hope he might soon lay his hands on the thief. Payment on both checks was at once stopped by telephone message to the banks.

BURGLARS AND SNEAK THIEVES and dishonest servants can be insured against by a policy of THE AETNA INDEMNITY CO. Par-ticulars, 68 William st., N. Y. City. Tel. 4670—John.

Genuine crystal pebble eyeglasses, the cool kind that never mist, at Spencer's, 12 Malden lane.—Ade. The Fastest Long Distance Train

in the world is the Twentleth Century Limited, the 18-hour train between New York and Chicago by the "New York Central Lines."—Ade.

# ALL SHOULD LIVE 100 YEARS. STATE AFTER

Special Cable Despatch to THE SUN.

LONDON, July 20.—Sir James C. Browne
the author of various works on mental and nervous diseases, in an address to the Public Health Congress declared it was a good working hypothesis to regard the

Theory of Human Usefulness.

natural life of man as 100 years.

He did not agree with Prof. Osler and others that the world's effective, vitalizing work was done between the ages of 25 and 40. Much of the world's best work, he said, had been done by men over 40. If the world were deprived of their work t would go back to the twilight of ages ago. He quoted numerous instances to prove

his contention. He urged that it was a The vote stood 199 in favor of the amendduty to lengthen as well as to strengthen life. He added that every man was entitled to a century and every woman to a little more.

Every child should be brought up impressed with the obligation of living to a hundred years, and should be taught to to prevent the attainment of this ambition While it was certain that a century of health and vigor could be attained, it could only be reached by faithful obedience to the laws of health and simplicity and tranquillity in living.

#### MARRIED BY CORONER FIRST. Seventy-first Regiment Man Goes to Church Afterward.

Edward Townsend Wood of the Seventyfirst Regiment, a grandnephew of ex-Mayor Edson, asked Coroner Berry, who is in the same regiment and who is a notary, to please marry him to Miss Elizabeth Orlopp of 603 West 147th street. The young people were engaged and decided not to wait until fall. So the Coroner married

them. This was on June 5. When their parents heard of it they said they thought a marriage by a clergyman would have about it elements absent from a marriage by a Coroner.

So on June 8 the Rev. Mr. Taylor married them at St. Paul's Protestant Episcopal Church in The Bronx, and they have gone to live at 519 West 152d street. Miss Orlopp's father is Max Orlopp, a civil engineer. Wood is a grandnephew of E. T. Wood, whom President Kirk of the

# the expiration of Mayor Edson's term. GIRL SWIMMER IN PERIL. Miss Marion Ford Seized by Cramp in the

Aldermen, in the capacity of Acting Mayor,

tried to appoint Corporation Counsel on

Sound at Stamford. STAMPORD, Conn., July 20 .- Miss Marion Ford, elder daughter of Mrs. W. F. Ford of Brooklyn, went bathing to-day at the Stamford Yacht Club, accompanied by Belden W. Brown, Jr. Miss Ford proposed a swim out into the harbor. She had gone about a quarter of a mile from shore when cramp suddenly crippled her arms. Brown grasped her by the neck, but had all he could do to keep her above water. His cries for help were heard and James D. Smith, ex-commodore of the New York Yacht Club, and several other members of the Stamford Yacht Club put out in launches. Brown was tiring rapidly and would have sunk before their arrival had not a young man rowing in the vicinity been attracted by his cries. He assisted Brown and Miss Ford into the

boat and then transferred them to one of the launches. Miss Ford is a sister of Miss Ethel Ford, who was stung by an insect and lost the sight of one eye on the eve of her wedding to George A. Jenkins, and was confined in a dark room for weeks. The wedding was postponed indefinitely and Miss Ford has

#### not yet recovered. SINKING BUILDINGS.

Two Hoboken Houses Take a Six Foot Drop.

A two story frame building at 422 Adams street, Hoboken, and a one story frame structure next door at 420 started toward China shortly after 8 o'clock last night. They came to a stanstill right side up after travelling six feet. Each house was 50 by 25 feet. and was built on piles in what

was once marsh ground. Michael Pantaleone kept a saloon on the ground floor of 422 and Bertha, Agnes and William Kennedy, lived on the second floor. Domenico Andreceio had a grocery

at 420. Pantaleone was working his beer pump and four young Italians were playing pool when the houses took a drop and the lights went out. The saloon building, according to Pantaleone's description, "just went kerplunk." Pool balls flew in all directions and the players made a dash for the street door. They bumped up against a wall of earth and had hard work to climb out. The saloon keeper got out in time to see them making tracks down Adams street. Everybody in both houses got out safely.

# CONFIDENCE GAME AT THE BATH. Bunco Man Comes Out First and Disappears

With Joint Stock of Valuables. Max Silverman, a Pittsburg baker, and his friend Bruno Gunman of St. Louis met in Hoboken yesterday one Goetz, who sized them up and invited them to Coney Island for a swim. He suggested putting the valuables of all three in one envelope which he signed. Then he came out while they were still enjoying themselves, and they tell the police that there was \$33 cash and a check for \$2,000 in the envelope that disappeared with him. Silverman, who owned the check, stopped it. He was to have sailed for Germany on the steamship

## Pennsylvania on Saturday. Blackmailer Caught.

WATERBURY, Conn., July 20.-After lying in wait all night in a pelting rain, Officers Hurley and Joyce of the State police caught Robert Lewie of South Manchester in the act of taking away a decoy package of money. He had been threatening Henry Robinson, a prominent citizen of Manchester, by mail, first writing him that unless he left 550 in a certain spot his house and barn would be burned downsand afterward, when no answer came, writing another in which he threatened to burn the house and barn and kidnap Mr. Robinson's son, a lad of twelve.

Marie Hell and Fraulein Heaven. In the first cabin of the North German Lloyd steamship Koenig Albert, which arrived on Wednesday night from the Mediterranean, was Fräulein Heaven. She had Marie Hell as a fellow voyager from Genoa to Gibraltar.

#### HIGH PRAISE FOR PENNSYLVANIA SPECIAL.

A noted world travelent, vs. "The Pennsylvania Special in every particular is the best train in the world." Over night to Chicago, Rock ballasted roadbed. Superior Dinlog car agreed, Aur.

# THE EQUITABLE.

Higgins Clears the Way for an inquiry by the Legislature.

# ARMSTRONG AT THE HEAD.

# Governor Still Says Policyholders Will Not Benefit.

Sends a Special Message and Senate and Assembly Join in a Resolution to Appoint a Committee of Eight to Make an Inquiry Into Life Insurance Methods and Draft New Logistation-Higgins Declares That He Has Not Changed His Views, but Minority Leader Palmer Makes Some Sharp Remarks on Ex-Gov. Odell's Power.

ALBANY, July 20 .- A joint legislative committee is to investigate the operations of life insurance companies in this State, specially the Equitable. This committee will consist of three Senators and five Assemblymen. The Senators are William W. Armstrong (Rep., Rochester), William J. Fully (Rep., Corning) and Daniel J. Riordan, Tam.). The Assembly members of the oint committee will be announced from Speaker Nixon's home in Westfield, Chautauqua county, on Monday.

This joint committee is to be appointed in pursuance of a resolution passed unanimously in both houses of the Legislature to-day, after Gov. Higgins had sent in a special message permitting the Legislature to appoint a committee to prepare and recommend "such legislation as may be adequate and proper to restore public confidence and to compel life insurance companies to conduct a safe, honest and open ousiness for the benefit of their policyholders." This resolution was introduced by Senator Armstrong, who is to be the

chairman of the joint committee. THE GOVERNOR'S CHANGE OF FRONT. The Governor had insisted that Superintendent of Insurance Francis Hendricks was competent to deal with the Equitable situation and that be had ample power. It is known, however, that the Republican legislative leaders have been talking the matter over with Gov. Higgins since Tuesday night and that he was finally persuaded to permit the Lagislature to take up the

insurance question. Senator Armstrong did not know he was to introduce the resolution until long after the Senate had met to-day, when it was handed to him by Cuthbert W. Pound, Gov. Higgins's legal adviser. The most remarkable thing about the special message is that last night when the Governoor was anything new about the insurance

situation, he replied: "No, the insurance situation is calmer. It is quieting down, and I think will soon be more quiet."

BRACKETT AND MARKS DISAPPOINTED. Senators Brackett and Marks were active all last winter in efforts to secure a lgislative investigation of the Equitable and the whole insurance field, and they were surprised to-day at the change in the situation. Their surprise turned into astonishment when they learned that they were not

to have an active part in the investigation. Senator Armstrong is a lawyer and is now serving his fourth term in the Senate. He is an important member of the Legislature, a man of considerable ability and one who has always been accustomed to exercise his own judgment. This is Senator Tully's first year in the Legislature. He also is a lawyer. Senator Riordan is serving his second term in the Senate and is a member of the Insurance Committee. He is engaged in the insurance and real estate business and was one of those Senators who on the last day of the legislative session helped to defeat the New York city 80-cent gas bill. For this he was severely criticized by Tammany's chieftain, Charles F. Murphy, who said that he would be turned down for a renomination.

Senator Armstrong said to-night that the committee would meet immediately after Speaker Nixon announces the Assembly members and that the work of the committee would be pushed with vigor. When Gov. Higgins had sent his special message to the Legislature he gave out

this typewritten interview: WANTS NO INVESTIGATION.

"I have not recommended, nor do I now recommend, a legislative investigation of life insurance companies. I have recommended to the Legislature that it take the subject under consideration, so that it may dispose of it as its wisdom may dictate. My own position in the matter remains un-changed. I have never said that I would prevent a legislative investigation by refusing to permit the Legislature to consider the matter, as I have the power to do at an extraordinary session; nor has it been my intention at any time to assume such a responsibility. If a legislative investigetion is to be had it is better that it should begin at once and not be delayed until the

regular session six months hence. "The extraordinary session was called to consider the charges against Justice Hooker. I thought best to await the final disposition of his case before recommending other matters for consideration. I have at no time blosed my eyes to the gravity of the life insurance scandal, nor have I for one moment turned my back on the policyholders and their beneficiaries. Ill considered haste, provoked by angry and impatient clamor, would serve no useful end. As I have often said, I shall in my own way labor unceasingly to secure the correction of abuses and the punishment of wrongdoers, without the slightest regard for the social, financial or political standing

or influence of any man."

Gov. Higgins to-night declared that he had not changed his position with regard COOLER THAN THE COAST OF MAINE.

Average temperature on July 17, 18 and 18 at Block Island 72 degrees. Reached in 114 hours by the Long Island Rairoad.—Adv.